

United States District Court

for the

Southern District of Texas

UNITED STATES OF AMERICA)

V.)

Juan Jose DE LUNA-Magana) Case Number:**Mexico**)

)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of **February 8, 2021** in the county of **Webb** in the
 (Date)
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*Title 8 United States Code, Section
1326

a citizen of Mexico, who was previously removed was thereafter found in the United States in Laredo, Texas. The said defendant has not obtained the consent of the Attorney General of the United States or Secretary of the Department of Homeland Security (March 1, 2003 and thereafter-Title 6 Code, Sections 202 and 557) for the reapplication by the said defendant for admission into the United States.

This criminal complaint is based on these facts:

See attachment "A".

☒ Continued on the attached sheet./s/ Ruben Cortinas Jr.

Complainant's Signature

Ruben Cortinas Jr./Deportation Officer

Printed Name and Title

Sworn to before me and signed in my presence,

Date: **February 11, 2021**Judge's SignatureCity and State: **Laredo, Texas****Christopher dos Santos, US Magistrate Judge**

Printed Name and Title

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[CONT OF BASIS OF COMPLAINT]

On February 8, 2021, Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) encountered Juan Jose DE LUNA-Magana at the Webb County Jail in Laredo, Texas pursuant to an arrest by the Laredo Police Department for aggravated assault with a deadly weapon. ICE/ERO established that DE LUNA-Magana was a citizen of Mexico and previously removed from the United States. A Notice of Action-Immigration Detainer Form I-247 was lodged against DE LUNA-Magana.

On February 10, 2021, the Webb County Jail released DE LUNA-Magana to ICE/ERO. ICE/ERO issued DE LUNA-Magana, a Notice of Intent/ Decision to Reinstate Prior Order of Removal, Form I-871, pursuant to Section 241 (a)(5) of the INA.

DE LUNA-Magana was last removed from the United States on December 8, 2020 via the Port of Entry in Laredo, Texas. There is no record of DE LUNA-Magana applying for or receiving permission from the Attorney General or Secretary of the Department of Homeland Security to re-enter the United States after deportation.

[END]

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[CONT OF BASIS OF COMPLAINT]